10/591372 IAP9 Rec'd PCT/PTO 01 SEP 2006

S/N Unknown **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Dan Lundgren

Examiner:

Unknown

Serial No.:

Unknown

Group Art Unit:

Unknown

Filed:

Herewith

Docket No.:

05822.0345USWO

Title:

TUBULAR BONE ANCHORING ELEMENT

CERTIFICATE UNDER 37 CFR 1.10:
"Express Mail" mailing label number: EV 628409281 US

Date of Deposit: 1 September 2006

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop: POT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

> By: Name: David Ortiz

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. Enclosed for the Examiner's information is a copy of the International Search Report. At least some of the references were recently cited in an International Search Report mailed 27 June 2005.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. §1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

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No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

23552

PATENT TRADEMARK OFFICE

Dated: 1 September 2006

DRD/cjc

Respectfully submitted,

MERCHANT & GOULD P.C.

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(612) 332-5300

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Dennis R. Daley Reg. No. 34,994 Date Mailed: 1 September 2006

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FO	RM	1449*

INFORMATION DISCLOSURE STATEMENT

Docket Number: 05822.0345USWO

Application Number:

Unknown

Applicant: Dan Lundgren
Filing Date: Herewith

Group Art Unit: Unknown

IN AN APPLICATION

(Use several sheets if necessary)

EXAMINER INITIAL DOCUMENT NO. DATE NAME CLASS SUBCLASS FILING INFAPROLE US 5,433,607 7/1995 Schmid et al. CLASS SUBCLASS FILING INFAPROLE US 4,531,916 7/1985 Scantlebury et al. Cantor Cantor Company US 4,359,318 11/1982 Gittleman Gittleman Company		
US 4,531,916 7/1985 Scantlebury et al. US 2005/0164146 A1 7/2005 Cantor		
US 2005/0164146 A1 7/2005 Cantor		
US 4,359,318 11/1982 Gittleman		
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FOREIGN PATENT DOCUMENTS		
DOCUMENT NO. DATE COUNTRY CLASS SUBCLASS TRANSLA	TRANSLATION	
YES	NO	
GB 1 203 093 8/1970 Great Britain		
WO 91/14404 A 10/1991 WIPO		
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		

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DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.